

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BROOKLYN DIVISION

UNITED STATES SECURITIES  
AND EXCHANGE COMMISSION,  
*Plaintiff,*

v.

NOAH STEINBERG,  
ENRIQUE REYES CARRION,  
GERSHON TANNENBAUM,  
JAY M. VERMONTY,  
*Defendants,*  
*and*  
CARMEN VERMONTY,  
*Relief Defendant*

Application granted.

Recorded.  
USNS  
'8/22/05  
CV 99 6050 (ARR) (JMA)

cc: parkes

**FILED**

IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

★ AUG 25 2005 ★

BROOKLYN OFFICE

**PLAINTIFF COMMISSION'S NOTICE AND MOTION TO DISMISS DEFENDANT  
ENRIQUE REYES CARRION**

The Plaintiff United States Securities and Exchange Commission notices and moves to dismiss Defendant Enrique Reyes Carrion due to the fact that the Commission has been informed by his counsel, E. Warren Goss III of Boulder, Colorado that Mr. Carrion has died.

Respectfully submitted,

Carl A. Tibbetts

Carl A. Tibbetts (CT 3248)  
Assistant Chief Litigation Counsel  
U.S. Securities & Exchange Commission  
450 Fifth St., N.W., Stop 9-11  
Washington, D.C. 20549-0911  
Telephone: (202) 942-4817  
Facsimile: (202) 942-9581

Dated: April 15, 2005, at Washington, D.C.

### **Certificate of Service**

The undersigned attorney hereby certifies that on the 15<sup>th</sup> day of April, 2005, he caused to be served by First Class United States Mail, postage prepaid a copy of the Plaintiff United States Securities and Exchange Commission's Notice and Motion to Dismiss Defendant Enrique Reyes Carrion, addressed to the following:

Jay Vermonty and Carmen Vermonty  
148-18 Laburnum Avenue  
Flushing, New York 11355

Gershon Tannenbaum  
927 51<sup>st</sup> Street  
Brooklyn, New York 11219

Carl A.  
Tibbetts

Digitally signed by Carl A. Tibbetts  
DN: cn=Carl A. Tibbetts, c=US, o=United  
States Securities and Exchange Commission,  
ou=SEC, ou=Investment & Consumer  
Protection, email=Carl.A.Tibbetts@sec.gov  
Date: 2005.04.15 11:48:01 -0400

Carl A. Tibbetts